ई-मेल/स्पीड पोस्ट

संख्या-9/2026/I/1402456/2026-02-5099/45/2026

प्रेषक,

विजय कुमार
विशेष सचिव
उत्तर प्रदेश शासन।

सेवा में,

1- अध्यक्ष, राजस्व परिषद, उ0प्र0, लखनऊ।
2- कृषि उत्पादन आयुक्त, उत्तर प्रदेश शासन।
3- समस्त अपर मुख्य सचिव/प्रमुख सचिव/ सचिव/विशेष सचिव, उत्तर प्रदेश शासन।
4- समस्त मण्डलायुक्त/जिलाधिकारी, उ0प्र0।
5- उ0प्र0 संवर्ग के शेष समस्त आई0ए0एस0 अधिकारी **(with deputation)** (नाम से)
6-उ0प्र0 संवर्ग के समस्त से0नि0 आई0ए0एस0 अधिकारी।

नियुक्ति अनुभाग-5 **लखनऊः दिनांकः 20.07.2026**

विषयः- "Legal assistance to serving/retired members of All India Services-reg" के संबंध में डी0ओ0पी0टी0 भारत सरकार के दिशा-निर्देश।

महोदय/महोदया,

उपर्युक्त विषयक डी0ओ0पी0टी0, भारत सरकार के पत्र-11018/01/2024-AIS-III, दिनांक 15, जून, 2026 **(प्रतिलिपि संलग्न)** का कृपया सन्दर्भ ग्रहण करें, जिसके माध्यम से "**Legal assistance to serving/retired members of All India Services-reg"** विषयक दिशा-निर्देश निर्गत किये गये हैं, जो निम्न हैं:-

" I am directed to refer to the subject noted above and to state that there have been instances where questions have been raised relating to availability and the circumstances for providing legal and financial assistance to AIS officers for the conduct of legal proceedings by or against him.

2. In this regard, attention is invited to the provisions relating to legal assistance contained in the instructions appended to the All India Services (Discipline and Appeal) Rules, 1969. The relevant instructions, inter alia, provide as follows:

(a) Provisions have been laid upon the availability of providing legal assistance to government servants as per Ministry of Home Affairs O.M. No. 45/5/53-Est(A) dated 08.01.1959.

(b) Further, provisions have also been laid upon the availability of providing legal assistance to retired government servants as per D.P. & A.R. letter no. 28022/1/75-Estt. (A) dated 20.01.1977 and instructions contained in the aforementioned letter were later

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1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नही है ।

2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.gov.in से सत्यापित की जा सकती है ।

shasanadesh.up.gov.in

extended to the retired members of All India Services as per O.M. No. 11018/3/77-AIS(III) dated 29.04.1977.

3. The aforementioned instructions, copies enclosed, related to providing legal/ financial assistance to serving/retired members of All India Services is being reiterated herewith for information."

2- अतः उपरोक्त के संबंध में डी0ओ0पी0टी0, भारत सरकार नई दिल्ली के उक्त पत्र 11018/01/2024-AIS-III, दिनांक 15, जून, 2026 समस्त संलग्नकों सहित प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि उपरोक्त प्राविधानों से कृपया संसूचित/अवगत होने का कष्ट करें।
संलग्नकः यथोक्त।

भवदीय,

(विजय कुमार)
विशेष सचिव।

संख्या एवं दिनांक तदैव-

प्रतिलिपिः- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. स्टाफ ऑफिसर, मुख्य सचिव, उ0प्र0 शासन को डी0ओ0पी0टी0 भारत सरकार नई दिल्ली के उक्त पत्र 11018/01/2024-AIS-III, दिनांक 15, जून, 2026 **समस्त संलग्नकों सहित इस अनुरोध से** प्रेषित कि कृपया प्रावधानों से अवगत होते हुए मुख्य सचिव महोदय को भी कृपया अवगत कराने का कष्ट करें।
2. श्री राजेश कुमार यादव, अवर सचिव, डी0ओ0पी0टी0, भारत सरकार, कर्तव्य भवन-3 नई दिल्ली को उनके उक्त पत्र दिनांक 10 जुलाई, 2026 के संबंध में सूचनार्थ प्रेषित।
3. सहायक समीक्षा अधिकारी को इस आशय से प्रेषित कि उपरोक्त शासनादेश को shasnadesh.up.gov.in पर अपलोड कराया जाना कृपया सुनिश्चित करें।

आज्ञा से,
ह0/
(विजय कुमार)
विशेष सचिव।

http://shasanadesh.up.gov.in

1- यह शासनादेश इलेक्ट्रानिकली जारी किया गया है, अतः इस पर हस्ताक्षर की आवश्यकता नही है ।

2- इस शासनादेश की प्रमाणिकता वेब साइट http://shasanadesh.up.gov.in से सत्यापित की जा सकती है ।

ई-मेल/स्पीड पोस्ट

संख्या-I/1402456/2026

प्रेषक,

विजय कुमार
विशेष सचिव
उत्तर प्रदेश शासन।

सेवा में,

1- अध्यक्ष, राजस्व परिषद, उ0प्र0, लखनऊ।
2- कृषि उत्पादन आयुक्त, उ0प्र0 शासन।
3- समस्त अपर मुख्य सचिव/प्रमुख सचिव/ सचिव/विशेष सचिव, उ0प्र0 शासन।
4- समस्त मण्डलायुक्त/जिलाधिकारी, उ0प्र0।
5- उ0प्र0 संवर्ग के शेष समस्त आई0ए0एस0 अधिकारी (**with deputation**) (नाम से)
6- उ0प्र0 संवर्ग के समस्त से0नि0 आई0ए0एस0 अधिकारी।

नियुक्ति अनुभाग-5 लखनऊः दिनांक:20-07-2026

विषयः- ***"Legal assistance to serving/retired members of All India Services-reg"*** के संबंध में डी0ओ0पी0टी0 भारत सरकार के दिशा-निर्देश।

महोदय/महोदया,

उपर्युक्त विषयक डी0ओ0पी0टी0, भारत सरकार के पत्र 11018/01/2024-AIS-III, दिनांक 15 जून, 2026 **(प्रतिलिपि संलग्न)** का कृपया सन्दर्भ ग्रहण करें, जिसके माध्यम से" ***Legal assistance to serving/retired members of All India Services-reg "*** विषयक दिशा-निर्देश निर्गत किये गये हैं, जो कि निम्न हैं:-

" I am directed to refer to the subject noted above and to state that there have been instances where questions have been raised relating to availability and the circumstances for providing legal and financial assistance to AIS officers for the conduct of legal proceedings by or against him.

2. *In this regard, attention is invited to the provisions relating to legal assistance contained in the instructions appended to the All India Services (Discipline and Appeal) Rules, 1969. The relevant instructions, inter alia, provide as follows:*

(a) Provisions have been laid upon the availability of providing legal assistance to government servants as per Ministry of Home Affairs O.M. No. 45/5/53-Est(A) dated 08.01.1959.

(b) Further, provisions have also been laid upon the availability of providing legal assistance to retired government servants as per D.P. & A.R. letter no. 28022/1/75-Estt. (A) dated 20.01.1977 and instructions contained in the aforementioned letter were later extended to the retired members of All India Services as per O.M. No. 11018/3/77-AIS(III) dated 29.04.1977.

3. The aforementioned instructions, copies enclosed, related to providing legal / financial assistance to serving / retired members of All India Services is being reiterated herewith for information."

2- अत: उपरोक्त के संबंध में डी0ओ0पी0टी0, भारत सरकार नई दिल्ली के उक्त पत्र 11018/01/2024-AIS-III, दिनांक 15 जून, 2026 समस्त संलग्नकों सहित प्रेषित करते हुए मुझे यह कहने का निदेश हुआ है कि उपरोक्त प्राविधानों से कृपया संसूचित /अवगत होने का कष्ट करें।

संलग्नक:-यथोक्त।

भवदीय,

Digitally signed by VIJAY KUMAR
Date: 20-07-2026 20:51:45

(विजय कुमार)
विशेष सचिव।

संख्या एवं दिनांक तदैव-

प्रतिलिपि:- निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. स्टाफ ऑफिसर,मुख्य सचिव, उ0प्र0 शासन को डी0ओ0पी0टी0, भारत सरकार नई दिल्ली के उक्त पत्र 11018/01/2024-AIS-III, दिनांक 15 जून, 2026 **समस्त संलग्नकों सहित इस अनुरोध से** प्रेषित कि कृपया उक्त प्रावधानों से अवगत होते हुए मुख्य सचिव महोदय को भी कृपया अवगत कराने का कष्ट करें।
2. श्री राजेश कुमार यादव, अवर सचिव, डी0ओ0पी0टी0, भारत सरकार, कर्तव्य भवन-3, नई दिल्ली को उनके उक्त पत्र दिनांक 10 जुलाई, 2026 के संबंध में सूचनार्थ प्रेषित।
3. सहायक समीक्षा अधिकारी, को इस आशय से प्रेषित कि उपरोक्त शासनादेश को *shasnadesh.up.gov.in* पर अपलोड कराया जाना कृ0 सुनिश्चित करें।

आज्ञा से,
ह0/-
(विजय कुमार)
विशेष सचिव।

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E-4178667 सं०-959/दो-5-2026 572/ट-1-2026

No.23769/MS/GI/2026

No.11018/01/2024-AIS-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
****

Kartavya Bhavan - 3, New Delhi
Dated the 15th June, 2026

To,
The Chief Secretaries of all States / UTs

Subject: Legal assistance to serving / retired members of All India Services – reg.

Sir / Ma'am,

I am directed to refer to the subject noted above and to state that there have been instances where questions have been raised relating to availability and the circumstances for providing legal and financial assistance to AIS officers for the conduct of legal proceedings by or against him.

2. In this regard, attention is invited to the provisions relating to legal assistance contained in the instructions appended to the All India Services (Discipline and Appeal) Rules, 1969. The relevant instructions, inter alia, provide as follows:

(a) Provisions have been laid upon the availability of providing legal assistance to government servants as per Ministry of Home Affairs O.M. No. 45/5/53-Est(A) dated 08.01.1959.

(b) Further, provisions have also been laid upon the availability of providing legal assistance to retired government servants as per D.P. & A.R. letter no. 28022/1/75-Estt.(A) dated 20.01.1977 and instructions contained in the aforementioned letter were later extended to the retired members of All India Services as per O.M. No. 11018/3/77-AIS(III) dated 29.04.1977.

3. The aforementioned instructions, copies enclosed, related to providing legal / financial assistance to serving / retired members of All India Services is being reiterated herewith for information.

Encl.: As Stated.

Yours faithfully,

(Kavita Chauhan)
Under Secretary to the Government of India
Tel: 011 - 2401 0416

(एम० देवराज)
प्रमुख सचिव
नियुक्ति एवं कार्मिक विभाग
उ०प्र० शासन।

(रवीन्द्र कुमार)
विशेष सचिव एवं स्टॉफ आफिसर,
मुख्य सचिव
उ० प्र० शासन।

(विजय कुमार)
विशेष सचिव,
नियुक्ति एवं कार्मिक विभाग
उत्तर प्रदेश शासन।

authorities to keep a strict watch on the conduct of members of the All India Services in regard to matters covered by the aforesaid Rules. Violation of any of the provisions of rule 20 of the All India Services (Conduct) Rules, 1968 will constitute a good and sufficient reason for taking disciplinary action against a member of the All India Service. While any of the penalties specified in rule 6 of the All India Service (Discipline and Appeal) Rules, 1969 can be imposed on a member of an All India Service for good and sufficient reasons after following the prescribed procedure, the disciplinary authorities should take a very serious view of any violation of rule 20 of the All India Services (Conduct) Rules, 1968,and should not hesitate to impose the severest punishment on such members of the All India Services who are proved guilty of violating the said Rule.

2. I am to request that the contents of this letter may be brought to the notice of all members of the All India Services working under the State Government.

[Extract of letter No. 11017/1/76—AIS(III), dated 5-2-76.]

IV. PROVIDING LEGAL AND FINANCIAL ASSISTANCE TO RETIRED GOVERNMENT SERVANT-EXTENSION OF GOI O.M.No. 28022/1/75—Estt.(A), DATED THE 20TH JANUARY, 1977 TO MEMBERS OF THE ALL INDIA SERVICES.

1. The instructions contained in this Department's Office Memorandum No. 28022/1/75—Estt.(A), dated the 20th January, 1977, are extended to the retired members of the All India Services.

[letter No. 11018/3/77-AIS(III), dated 29-4-77.]

(i) Copy of D.P. & A.R. letter No. 28022/1/75—Estt.(A), dated 20th January, 1977

1. A question has been raised whether, and if so, under what circumstances, Government should provide legal and financial assistance to a retired Government servant for the conduct of legal proceedings instituted against him by a private party in respect of matters connected with his official duties or position before his retirement. This has been considered by the Government and it has been decided that the provisions contained in paragraph 2(c) of the Ministry of Home Affairs' O.M.No. 45/5/53-Estt(A), dated 8th January, 1959. (Copy enclosed) should be extended also to be retired Government servants. Accordingly, the provisions contained in the aforesaid paragraph, with the exception of the provision regarding grant of advance from Provident Fund, will apply also to Government servants who have retired from service other than those who have been compulsorily retired from service as a measure of punishment. Further, the amount of interest free advance that may be granted to a retired Government servant will be subject to a maximum limit of Rs. 500/-.

2. The form of declaration to be obtained from a retired Government servant when the Government undertakes his defence and the form of Bond to be obtained from him, if advance is granted to cover legal expenses, are enclosed as Annexure 'A' and 'B' to this Office Memorandum.

3. The provisions regarding consultation with Union Public Service Commission and the authority competent to take decision in each case will be the same as those contained in Ministry of Home Affairs Office Memorandum dated 8th January, 1959.

(ii) Copy of MHA O.M. No. 45/5/53—Est(A), dated 8-1-59.

1. A question has been raised whether, and if so, under what circumstances, Government should provide legal and financial assistance to a Government servant for the conduct of legal proceedings by or against him. The following decisions which have been taken in consultation with the Ministries of Law and Finance and the Comptroller and Auditor General are circulated for information and guidance.

2. (a) **Proceedings initiated by Government in respect of matters connected with official duties or position of the Government servant.**

Government will not give any assistance to a Government servant for his defence in any proceedings, civil or criminal instituted against him by the State in respect of matters arising out of or connected with his official duties or his official position. Should, however the proceedings conclude in favour of the Government servant, Government will entertain his claim for reimbursement of costs incurred by him for his defence, and if Government are satisfied from the facts and circumstances of the case that the Government servant was subjected to the strain of the proceedings without proper justification they will consider whether the whole or any reasonable proportion of the expenses incurred by the Government servant for his defence should be reimbursed to him.

(b) **Proceedings in respect of matters not connected with official duties or position of the Government servant.**

Government will not give any assistance to a Government servant or reimburse the expenditure incurred by him in the conduct of proceedings in respect of matters not arising out of, or connected with, his official duties or his official position, irrespective of whether the proceedings were instituted by a private party against the Government servant or vice versa.

(c) **Proceedings instituted by a private party against a Government servant in respect of matters connected with his official duties or position.**

(i) If the Government on consideration of the facts and circumstances of the case consider that it will be in the public interest that Government should themselves undertake the defence of the Government servant in such proceedings and if the Government servant agrees to such a course, the Government servant should be required to make a statement in writing as in **Annexure A** and thereafter Government should make arrangements for the conduct of the proceedings as if the proceedings had been instituted against Government.

(ii) If the Government servant proposes to conduct his defence in such proceedings himself, the question of reimbursement of reasonable costs incurred by him for his defence may be considered in case the proceedings conclude in his favour. In determining the amount or costs to be so reimbursed, Government will consider how far the Court has vindicated the acts of the Government servant. The conclusion of proceedings in

favour of the Government servant will not by itself justify reimbursement.

To enable the Government servant to meet the expenses of his defence, Government may sanction, at their discretion, an interest free advance not exceeding Rs.500/- or the Government servant's substantive pay for three months, whichever is greater, after obtaining from the Government servant a bond in the form reproduced as **Annexure B**. The amount advanced would be subject to adjustment against the amount, if any, to be reimbursed as above.

The Government servant may also be granted any advance from any Provident Fund to which he is a subscriber not exceeding three months' pay or one half of the balance standing to his credit, whichever is less. This advance will be repayable in accordance with the rules of the Fund.

(d) **Proceedings instituted by a Government servant of his being required by Government to vindicate his official conduct.**

A Government servant may be required to vindicate his conduct in a Court of Law in certain circumstances, [vide Ministry of Home Affairs O.M. No. F. 25/32/54-Estt(A), dated 8th January, 1959]. The question whether costs incurred by the Government servant in such cases should be reimbursed by the Government and if so; to what extent should be left over for consideration in the light of the result of the proceedings. Government may, however, sanction an interest-free advance, in suitable instalments, of any amount to be determined by them in each case on the execution of a bond by the Government servant in the form reproduced in **Annexure B**.

In determining the amount of costs to be reimbursed on the conclusion of the proceedings, the Government will consider to what extent the Court has vindicated acts of the Government servant in the proceedings. Conclusion of the proceedings in favour of the Government servant will not by itself justify reimbursement.

(e) **Proceedings instituted by a Government servant suo motu, with the previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position.**

If a Government servant resorts to a Court of Law with the previous sanction of Government to vindicate his conduct arising out of or connected with his official duties or position, though not required to do so by Government, he will not ordinarily be entitled to any assistance but Government may, in deserving cases, sanction advances in the manner indicated in sub-para c(ii) above, but no part of the expenses incurred by the Government servant will be reimbursed to him even if he succeeds in the proceedings.

3. Clause (d) of article 320(3) of the Constitution requires consultation with the Union Public Service Commission on any claim of Government servant for the reimbursement of the costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty. In other cases consultation with the Union Public Service Commission is not obligatory, but it will be open to Government to seek the Commission's advice, if considered necessary.

4. The question whether a case falls under article 320(3)(d) of the Constitution so as to require consultation with the Commission may at times be difficult to determine. It may be stated generally that the consultation is obligatory in a case where a reasonable connection exists between the act of the Government servant and the discharge of his official duties. The act must bear such relation to the official duties that the Government servant could lay a reasonable but not a pretended or a fanciful claim that he did it in the course of the performance of his duties.

5. The appropriate authority for taking decision in each case will be the administrative Ministry of the Government of India concerned who will consult the Finance and Law Ministries, where necessary. The Comptroller and Auditor General of India will exercise the powers of an administrative Ministry in respect of the personnel of the Indian Audit and Accounts Department.

6. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued in consultation with the Comptroller and Auditor General.

ANNEXURE A

(Here enter description of the proceedings)

The Government of India having been pleased to undertake my defence in the above proceedings, I hereby agree to render such assistance to Government as may be required for my defence and further agree that I shall not hold Government in any way responsible if the proceedings end in a decision adverse to me.

Date.....

Signature of the retired Government servant.

ANNEXURE B

BY THIS BOND [79]*I* _____ _____ *a retired Government servant at present residing at* _____ *having taken an advance of Rs* _____*(Rupees* _____ *only) from the President of India (hereinafter called the "Government") promise and undertake to refund and pay to the Government the said sum of Rs.* _____ *in* _____

[79] Here give the name and other particulars of the retired Government servant including the post held by him before retirement

_____ [80]*equal monthly* _____ *instalment* _____ *of Rs.* _____ *payable by the 10th of every month commencing from* _____ [81] _____.

2. And I agree that in case I fail to pay any of the above mentioned instalment on due date, the entire balance of the amount then remaining due shall at once become due and payable by me to the Government and if I fail to pay the same within six months from the date on which the balance of the amount thus becomes due for payment, the Government shall have the right to recover the same from me by due process of Law.

Dated this _____ day of _____ 20 .

(Signature of the retired Government servant)

Witness to signature.

Accepted.

1. _____

2. _____

[82]*Signature*

(Designation)

for and on behalf of the President of India.

V. CONDITIONS PRESCRIBED FOR A MEMBER OF THE SERVICE TO TAKE THE ASSISTANCE OF A RETIRED GOVERNMENT SERVANT.

1. In pursuance of the provision contained in clause(b) of sub-rule (9) of rule 8 of the All India Services (Discipline and Appeal) Rules, 1969, the President hereby prescribes the following conditions subject to which a member of the Service may take the assistance of a retired Government servant to present the case on his behalf:

Sub para (i) & (ii)—Deleted[83]

(i) No retired Government servant can take up more than three cases at a time. At the time of appearance before the Inquiry Officer, the retired Government servant should certify that he has only three cases on hand at that time.

(ii) A retired Government servant cannot assist a member of an All India Service in disciplinary proceedings after the expiry of three years from the

[80] Here mention the number of instalments

[81] Here mention the date of commencement of the first installment.

[82] Here mention the designation of the officer who is authorized to execute the bond under article 299(I) of the constitution.

[83] Vide DP&T letter No.11018/5/86-AIS(III)dated 20.01.1987

Legal assistance to serving / retired members of All India Services **csup** < csup@nic.in >

Aryan Asthana < aryan.asthana6594@gov.in >

Tue, 16 Jun 2026 5:11:06 PM +0530

To "G. Sai Prasad IAS"<cs@ap.gov.in>,"Manish Kumar Gupta"<cs-arunachal@nic.in>,"Dr Ravi Kota"<cs-assam@nic.in>,"Chief Secretary Bihar" <cs-bihar@nic.in>,"csoffice.cg"<csoffice.cg@gov.in>,"Dr. V Candavelou IAS"<cs-goa@nic.in>,"Anurag Rastogi"<cs@hry.nic.in>,"Chief Secretary"<cs-hp@nic.in>,"Avinash Kumar"<cs-jharkhand@nic.in>,"cs" <cs@karnataka.gov.in>,"cs"<cs@mp.nic.in>,"cs"<cs@maharashtra.gov.in>,"cs-manipur"<cs-manipur@nic.in>,"Cso-meg"<cso-meg@nic.in>,"Chief Secretary Mizoram"<cs-mizoram@nic.in>,"Sentiyanger Imchen"<csngl@nic.in>,"csori" <csori@nic.in>,"Chief Secretary Punjab"<cs@punjab.gov.in>,"csraj" <csraj@rajasthan.gov.in>,"cs"<cs@tn.gov.in>,"CS Telangana" <cs@telangana.gov.in>,"Jitendra Kumar Sinha, IAS"<cs-tripura@nic.in>,"Chief Secretary Uttar Pradesh"<csup@nic.in>,"Cs Chief Secretary"<cs-uttaranchal@nic.in>,"Chief Secretary - Shri Manoj Kumar Agarwal"<cs-westbengal@nic.in>,"cs-andamannicobar"<cs-andamannicobar@gov.in>,"cs-chd"<cs-chd@chd.gov.in>,"devcom-dd"<devcom-dd@nic.in>,"advisor-dnh-dd" <advisor-dnh-dd@daman.nic.in>,"csdelhi"<csdelhi@nic.in>,"lk-advisor"<lk-advisor@gov.in>,"cs-pondicherry"<cs-pondicherry@nic.in>,"cspon" <cs.pon@nic.in>,"cs-jandk"<cs-jandk@nic.in>,"chiefsecretary" <chiefsecretary@ladakh.gov.in>,"RAKESH SINGH"<singh.rakesh@nic.in>

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Sir / Ma'am,

Kindly refer to the subject noted above and find attached herewith DoPT's letter dated 15.06.2026 for information and taking action as deemed appropriate.

Thanks & regards,

Aryan Asthana,
ASO, AIS-III,
Department of Personnel & Training.

1 Attachment(s)

DoPT letter dt. 15.06.2026 - Le...
1.8 MB